

REMARKS

Claims 1-5 and 7-11 are pending in the application and stand rejected. Claim 7 is hereby canceled.

Rejection under 35 U.S.C §102

Claims 1-4 and 6-11 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,629,980 to Stefik et al. In particular, the Examiner finds that, with regard to claim 1, Stefik discloses all of the claimed limitations. Applicants have reviewed the reference with care, paying particular attention to the passages cited, and are compelled to respectfully disagree with the Examiner's characterization of this reference. In the interest of passing this case to issue quickly, Applicants have further amended the claims to more clearly set forth the differences between Stefik and the claimed invention. As the Examiner will appreciate, Stefik does not disclose the presently claimed limitations such as, *inter alia*, imparting motion to the computer graphics character data item created by a creator as per amended claims 1 and 10, thereby essentially adding another dimension to the character and thus enhancing its value. Support for this amendment may be found at page 13, line 16 to page 14, line 26 of the originally filed specification.

Similarly, Stefik also does not disclose imparting a motion to the computer graphics character data item selected from among various motions as per amended claims 3 and 11, thereby providing the client with a greater number of possible combinations of characters and motions and thus enhancing the client's ability to obtain precisely the desired type of character. Support for this amendment may be found at page 22, lines 2-22 of the originally filed specification. Applicants further note that claim 4 has also been amended, and support for this amendment can be found at page 22, lines 23-32.

Stefik is directed to a system for controlling the use and distribution of digital works which may be further edited by an edit transaction. Applicants submit that with respect to amended claims 1 and 10, Stefik clearly fails to teach or allude to identifying the registered computer graphics character data item as a plurality of constituents, registering editing data

including motion data representing at least one motion, the motion corresponding to at least one constituent of the computer graphics character data item, combining the editing data with the computer graphics character data item to thereby impart the motion to the computer graphics character representing a look of a human being or an animal, and a presentation device for presenting the computer graphics character having the motion generated by the editing device to the at least one client terminal via the network.

Similarly, with respect to amended claims 3 and 11, Stefik fails to teach or allude to presenting the registered at least one computer graphics character data item and the various motions represented by the registered editing data to the at least one client terminal via the network, accepting selection of a computer graphics character data item and at least one motion from the computer graphics character data item and the various motions presented by the first presentation device, and combining the editing data including motion data representing the selected motion with the selected computer graphics character data item to thereby impart the selected motion to the computer graphics character representing a look of a human being or an animal.

In view of all of the foregoing, Applicants respectfully submit that the claims as amended herein are novel and patentable over Stefik and urge the Examiner to kindly reconsider and pass the claims to issue.

Rejection under 35 U.S.C §103

Claim 5 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Stefik in view of the Examiner's Official Notice. Applicants submit that claim 5 is allowable at least in view of its dependency on claim 1, which Applicants submit is now allowable.

In view of the above, Applicants submit that the application is now in condition for allowance and respectfully urge the Examiner to pass this case to issue.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

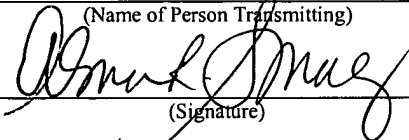
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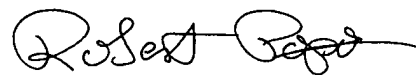


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(Date)

Respectfully submitted,



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